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TRANSCRIPT OF PROCEEDINGS

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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IN THE MATTER OF:

MM DOCKET NO. 93-75

TRINITY BROADCASTING OF FLORIDA, INC.  
and  
GLENDALE BROADCASTING COMPANY  
Miami, Florida

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JAN 10 1994

FEDERAL COMMUNICATIONS COMMISSION  
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Miami, Florida )  
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The above-entitled matter came on for hearing  
pursuant to Notice before Judge Joseph Chachkin,  
Administrative Law Judge, 2000 L Street, Washington, DC,  
20554, on Monday, December 20, 1993, at 9:20 a.m.

APPEARANCES:

On behalf of Trinity Broadcasting of Florida, Inc.:

NATHANIEL EMMONS, Esquire  
CHRISTOPHER HOLT, Esquire  
EUGENE MULLIN, Esquire  
HOWARD A. TOPEL, Esquire  
Mullin, Rhyne, Emmons, and Topel, PC  
1000 Connecticut Avenue, NW, Suite 500  
Washington, DC 20036-5383

On behalf of Glendale Broadcasting Company:

LEWIS I. COHEN, Esquire  
Cohen and Berfield, P.C.  
Board of Trade Building  
1129 20th Street, NW  
Washington, DC 20036

On behalf of S.A.L.A.D.:

DAVID HONIG, Esquire  
DAVID MCCURDY, Esquire  
1800 NW 187th Street  
Miami, Florida 33056

## 1 APPEARANCES (Continued):

2 On behalf of Mass Media Bureau:

3 JAMES SHOOK, Esquire  
4 GARY SCHONMAN, Esquire  
5 Mass Media Bureau  
6 2025 M Street, NW  
7 Suite 7212  
8 Washington, DC 20036  
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## I N D E X

<u>Witness</u>	<u>Direct</u>	<u>Cross</u>	<u>Redirect</u>	<u>Recross</u>
Dr. Paul Crouch				
By Mr. Shook		2940		
By Mr. Topel			3050	
By Mr. Cohen				3052
Mr. Colby May				
By Mr. Topel	3054			
By Mr. Cohen		3055		

## E X H I B I T S

<u>Mass Media</u>	<u>Identified</u>	<u>Received</u>	<u>Rejected</u>
Exhibit No. 414			2989

Hearing began: 9:20 a.m.                      Hearing Ended: 4:05 p.m.  
 Lunch Began: 12:37 p.m.                      Lunch Ended: 2:03 p.m.

## P R O C E E D I N G S

JUDGE CHACHKIN: Mr. Topel, you had something to say?

MR. TOPEL: Yes, Your Honor. I wish to report that the monthly unaudited financial statements about which Dr. Crouch testified do exist. They were timely produced during, during document production last summer. And we have brought with us the ones about which doctor test -- Dr. Crouch testified. I believe Mr. Shook was examining Dr. Crouch about the January, 1989, annual meeting, and Dr. Crouch testified that he had unaudited reports during the months of 1988 -- and we have those.

JUDGE CHACHKIN: All right. Let me just ask you one question along that same line. Were unaudited financial reported also prepared for the owned and operated stations?

DR. CROUCH: Yes, sir.

JUDGE CHACHKIN: All right. Go ahead, Mr. Shook.

## CROSS-EXAMINATION

BY MR. SHOOK:

Q Dr. Crouch, please turn to Mass Media Exhibit 374, which is in Volume Six.

A Yes, sir. I'm there.

Q All right. Would you briefly review this letter, because the question that I'm going to have for you is a general one. It doesn't focus on any specific aspect of the

1 letter.

2 A I, I have generally reviewed the letter, Mr. Shook.

3 Q All right. You were aware that this letter had been  
4 sent to National Minority TV, in care of Colby May, on or  
5 about September, and it looks like 13, 1991?

6 A Yes, sir.

7 Q Mr. May told you about this letter?

8 A Yes.

9 Q Did you discuss any of the specifics with Mr. May?

10 A My memory, Mr. Shook, is just generally we discussed  
11 the fact that we would answer each and every one of the  
12 questions posed by the agency as, as, as best we possibly  
13 could.

14 Q Now I want to focus your attention on page two.

15 JUDGE CHACHKIN: What exhibit is this?

16 MR. SHOOK: This is Exhibit 374, Your Honor.

17 JUDGE CHACHKIN: All right.

18 MR. SHOOK: It's, it's a letter from --

19 JUDGE CHACHKIN: Yes, I, I have the exhibit.

20 MR. SHOOK: Okay.

21 BY MR. SHOOK:

22 Q All right. I want to focus your attention on the  
23 second page, the second to the last paragraph from the bottom,  
24 beginning with in your application. Do you see that?

25 A Yes, sir.

1           Q     And the question that I have for you is did you  
2 discuss with Mr. May the -- and I'm characterizing here, so if  
3 you disagree with my characterization, you can say so -- the  
4 apparent lack of knowledge that the agency had concerning  
5 Mrs. Duff's status as an employee of Trinity?

6           A     Well, may I just read the, the short paragraphs --

7           Q     Certainly.

8           A     -- so that we better understand your, your question.  
9 It just says: In your application, you state that Duff and  
10 Aguilar received no compensation for their work as directors  
11 of National Minority. To what extent, if any, do they acquire  
12 their income from Trinity? As employees or consultants, or  
13 from other independent contracting agreements with Trinity. I  
14 guess I really don't understand your question yet, Mr. Shook.

15          Q     All right. My question is the way I read this, and  
16 I'm just, you know, and the way -- I'm going to see the way  
17 you read it, if you read it, it seems to me that the agency  
18 doesn't have any firm understanding of what Mrs. Duff's place  
19 is with Trinity. There seems to be some question on the  
20 agency's part as to, first of all, whether Mrs. Duff receives  
21 any compensation at all from Trinity. And the question I have  
22 for you is did you discuss with Mr. May the situation that the  
23 agency doesn't seem to realize that Mrs. Duff is a paid  
24 employee of Trinity and what that portends?

25          A     I do not recall narrowly focusing on, on that

1 particular paragraph or question. As I read it now, I, I  
2 would characterize that to mean that the, the agency certainly  
3 had some questions as to, as to what, if any, income Mrs. Duff  
4 derived as an employee of Trinity. As, as we've stated so  
5 often in this proceeding, it, it is, it is totally mystifying  
6 to me to, to believe that the agency had no knowledge  
7 whatsoever of her involvement as an employee of Trinity. I  
8 think other parties who either have or will give testimony  
9 here will certainly clear that up. But to specifically answer  
10 your question, sir, I -- no, I don't recall narrowly focusing  
11 on this particular paragraph or to what extent the agency was  
12 in the dark about Mrs. Duff's role with Trinity as a, as an  
13 employee or as being compensated by TBN in some way.

14 Q Now looking at the first sentence of the next  
15 paragraph, there seems to be some question on the agency's  
16 part as to the relationship between the officers of Trinity,  
17 and in this case we can exclude Mrs. Duff because we've  
18 already talked about her, and their relationship -- the  
19 officer of National Minority TV, rather, and their  
20 relationship with Trinity. Did you discuss with Mr. May what  
21 you should be telling the Commission or what you should be  
22 emphasizing to the Commission in terms of the relationship of  
23 persons such as Alan Brown and Matthew Crouch and Terry Hickey  
24 with National Minority TV?

25 A I understand your question perfectly but, no, I, I



1 don't recall discussing that aspect with counsel.

2 Q Would you please turn to Mass Media Exhibit 375.

3 A Yes, sir.

4 Q This is the Form 990 for the year 1990 for National  
5 Minority TV. The questions that I have for you are, are  
6 pretty much the same as I have been asking relative to all the  
7 other tax returns and that is did you personally review this  
8 return prior to the time it was transmitted to the Internal  
9 Revenue Service?

10 A No, sir. As, as we've state too often, I, I  
11 typically did not review these and I do not believe that that  
12 procedure varied at all in this case.

13 Q Do you have any knowledge whether any director of  
14 National Minority TV reviewed this return prior to its  
15 submission to the Internal Revenue Service?

16 A No, sir.

17 Q Would it be the case that the same personnel at  
18 Trinity who were involved in the preparation of this return  
19 are the same personnel who would have been involved in the  
20 preparation of Form, Forms 990 for all Trinity related  
21 organizations for the year 1990.

22 A Generally speaking, yes.

23 Q Would you please turn to Mass Media Exhibit 379.

24 A Yes, sir.

25 Q Can you identify the, the person whose handwriting

1 it is that appears on the first page?

2 A As opposed to the typewritten?

3 Q Yes, sir.

4 A Yes. That appears to be Mr. Colby May's  
5 handwriting.

6 Q Now, now please just take a brief look at the first  
7 page and if you can't make out his handwriting, you could turn  
8 to the second page to see what apparently actually was typed  
9 into print. And my question for you is did you have any role  
10 in the drafting of this letter?

11 A No, sir.

12 Q Would you please turn to Mass Media Exhibit 380.

13 A Yes, sir.

14 Q Now these are letters that are being sent by -- or  
15 signed by Jane Duff and directed to Pastor Phil Aguilar and  
16 Dr. E. V. Hill to notify them of an upcoming annual meeting of  
17 the board of directors of National Minority TV. My question  
18 for you is do you have any knowledge whether an agenda of the  
19 meeting was prepared and sent to Reverend Aguilar and Dr.  
20 Hill?

21 A I am not aware of any.

22 Q Would you please turn to Mass Media Exhibit 381.

23 A Yes, sir.

24 Q Now this is a bill for December 11, 1991, from the  
25 law firm of May and Dunne to Trinity Broadcasting Network.

1 A Yes.

2 Q And you can see that National Minority TV is still  
3 included on the bill. Did you have any discussions with  
4 Mr. May as to the continued propriety of including National  
5 Minority TV on the bill to Trinity?

6 A Now, Mr. Shook, I, I don't think I ever remember  
7 having any discussion with Mr. May regarding the, the  
8 appropriateness or the lack there of, of NMTB (sic) -- NMTV  
9 being included in his billing, no, sir.

10 Q All right. Do you have any explanation as to  
11 apparently why CET and JEB are being billed together? If you  
12 look under services rendered, you can see where it has CET,  
13 slash, JEB.

14 A Yes, I see that.

15 Q That, that would suggest to me that they are being  
16 billed together. Do you have any explanation as to why that,  
17 that was the case?

18 A It would be my understanding that since these were  
19 the two non-commercial entities, that they were simply lumped  
20 together. But I recall no specific discussion concerning  
21 that.

22 (Asides.)

23 Q You may recall that several months prior to December  
24 of '91, we had reviewed a letter from Mr. May that discussed  
25 a, a retainer. The re -- the fee is -- the fee schedule is

1 going to be changed a little bit.

2 A Yes, sir.

3 Q Do you remember that?

4 A Yes, sir. I do.

5 Q And if memory serves, you were involved with Mr. May  
6 in determining or in setting, you know, what the final amount  
7 of the fee would be. There was some discussion, perhaps not  
8 negotiations, but discussions as to what the fee would be?

9 A As I recall, Mr. May was simply prevailing upon us  
10 to in -- increase the amount of his hourly charge.

11 Q But during the course of those discussions, you did  
12 not talk with him about which company should be included in  
13 the bill, or how the billing should work in terms of NMTV  
14 being included with the Trinity bill?

15 A No. No, sir. It, it never even dawned on me that  
16 that was, that was important.

17 Q Well, not so much that it was important, just  
18 apparently you didn't discuss it with Mr. May?

19 A No, sir.

20 Q All right. Would you turn to Mass Media Exhibit  
21 382. And the pages that I want you to look at are pages one  
22 and five.

23 A Yes, sir.

24 Q All right. First of all, going to page five, this  
25 is an action by writ -- unanimous written consent of the

1 | directors of National Minority TV and the first persons, the  
2 | first person whose signature appears is yours, is it not?

3 |       A     Yes, sir.

4 |       Q     Dated December 31, 1991?

5 |       A     Yes.

6 |       Q     And the resolution is that Jim McClelan shall  
7 | receive a housing allowance during 1992 of \$14,000?

8 |       A     Yes, sir.

9 |       Q     Now turning to page one, just take a look at that  
10 | form. And you can read it to yourself.

11 |       A     Yes, sir. I have reviewed it.

12 |       Q     Now the form makes continual references to Trinity  
13 | Christian Center. Do you see that?

14 |       A     Yes, sir.

15 |       Q     And so far as I can see, it makes no reference  
16 | whatsoever to National Minority TV. Do you have any  
17 | explanation for that?

18 |       A     It -- I think I do. It's simply that the spiritual  
19 | authority to grant ordination came from actually Trinity  
20 | Christian Center of San Marcos, the ordaining church body in  
21 | southern California to what I believe to be all of those who  
22 | held ministerial credentials for the purpose of claiming a  
23 | housing allowance.

24 |       Q     Should we then be reading Trist -- Trinity Christian  
25 | Center to mean Trinity Christian Center of San Marcos. Is

1 that what, is that what it's supposed to read?

2 A That is, that is certainly my understanding, because  
3 traditionally, through the years, Trinity of San Marcos was  
4 and indeed still is the ordaining body.

5 Q All right. So if we were to look at page two, which  
6 is the request for housing allowance for Jane Duff from about  
7 the same period of time, that is December of '91, as the  
8 December, '91, request from Mr. McClelan, the reference  
9 against to Trinit -- Trinity Christian Center should be the  
10 Trinity Christian Center of San Marcos?

11 A Yes, sir. I certainly believe that true for this  
12 particular period of time. There was much earlier a provision  
13 by which Trinity Broadcasting Network, that later became  
14 Trinity Christian Center of Santa Anna, was the ordaining  
15 body, and I don't remember precisely which year that  
16 conversation took place. But I do believe for the year here  
17 in question, 1991, that this would indeed reference Trinity  
18 Christian Center of San Marcos.

19 Q So when the directors of National Minority TV are  
20 resolving that Mr. McClelan should receive a housing allowance  
21 during 1992, what they would have had before them in making  
22 that assessment is page one?

23 A I believe that to be the page, yes, sir.

24 Q Please turn to Mass Media Exhibit 383.

25 A Yes, sir.

1 Q Now you're aware of what this document is? It's a  
2 television agreement and production agreement.

3 A Yes, sir.

4 Q Did you have any role in drafting this agreement?

5 A No, sir.

6 Q Did you have any role in negotiating this agreement  
7 on behalf of either National Minority TV or Trinity Christian  
8 Center of Santa Anna?

9 A No, sir.

10 Q Do you know who did negotiate on behalf of either or  
11 both entities?

12 A I believe that to have been Mrs. Duff.

13 Q Mrs. Duff was involved in negotiations on behalf of  
14 whom?

15 A On behalf of National Minority TV.

16 Q Would there have been anyone involved in negotiating  
17 this agreement on behalf of Trinity or would this have been  
18 essentially a non-negotiated agreement?

19 A It, it was not I. Since Mr. Terrence Hickey signed  
20 on behalf of, of Trinity, it could have been him. But I, I'm  
21 not positive of that.

22 Q All right. Now in terms of Mrs. Duff negotiating on  
23 behalf of, of National Minority TV, are you also speculating  
24 that she, in fact, negotiated as opposed to simply signed the  
25 agreement?

1           A     It's, it's my belief that she pretty much determined  
2 what the compensation to National Minority should be for these  
3 services so rendered.

4           Q     All right. You may be thinking of something else.  
5 Just take a quick look through this. I didn't notice anything  
6 in terms of compensation, and when you use that word, it leads  
7 me to believe you're thinking perhaps of a different  
8 agreement.

9           A     Well, I may be in error, but I generally believed  
10 that National Minority was to be compensated in some manner  
11 for Mr. McClelan's services in producing the, the, the program  
12 here referenced.

13          Q     I see. Are you referring to paragraph seven, which  
14 appears on pages three and four?

15          A     Yes. Some compensation seems to be referenced as  
16 part of an exhibit A, and I'm not sure we have that exhibit  
17 with this agreement, at least I do not have it.

18          Q     Were you aware of Mrs. Duff, you know, Mrs. Duff's  
19 drafting of this agreement or being vol-- involved in the  
20 drafting of the agreement?

21          A     I was just generally aware that, that such an  
22 agreement was being prepared, but I left that completely to  
23 Mrs. Duff to work out the details.

24          Q     How did it come about or, you know, why is, why is  
25 this agreement being drafted and signed? What was, what was



1 going on beforehand, what was going on afterwards that caused  
2 the drafting and signing of this agreement?

3 A My understanding is simply that this program would  
4 be produced by NMTV at the Portland station, that it would  
5 provide good local public affairs programming for that  
6 station, but in addition would be a valuable program that  
7 would be good for the entire network. So to the extent that  
8 Trinity would receive the program, I, I just believed that it  
9 was understood that some, at least, cost-sharing compensation  
10 should be paid to National Minority for its efforts in  
11 producing such a program.

12 Q Prior to January 2, 1992, what arrangement, if any,  
13 existed between Trinity and National Minority TV relative to  
14 the production of Joy in the Morning?

15 A I, I'm not sure. I don't, I don't know if that  
16 program was actually being produced at that time for National  
17 Minority or, or Trinity.

18 Q Was it your understanding that Mr. McClelan was  
19 involved in a program called Joy in the Morning, which was  
20 being produced and aired on the network prior to January 2,  
21 1992?

22 A Oh, yes. Yes. Mr. McClelan had, had been the host  
23 of that program for some years.

24 Q And now Mr. McClelan -- and let's, let's think in  
25 terms of from December of 1989, when the Portland station

1 signed on, to January 2, 1992, when this agreement was  
2 executed, Joy in the Morning did run during that period of  
3 time also, did it not?

4 A It did, I believe, but I'm not sure that it was an  
5 active production. I, I think Mr. McClelan -- I think that  
6 the program may have fallen into, into reruns, and that was  
7 not a desirable situation. And to what extent it did, I'm not  
8 quite sure, but I think it was just the fact that Mr. McClelan  
9 now in his new role up at National Minority in the Portland  
10 station was going to continue or certainly should continue to  
11 produce this, this, this program that helped us meet many of  
12 the ascertained community needs and problems. So somewhere  
13 along the way, somebody, and it, it wasn't I, decided that if  
14 Mr. McClelan and if National Minority were going to continue  
15 to produce this program, it ought to be compensated in some  
16 way for doing it.

17 Q Wasn't it the case that Mr. McClelan was travelling  
18 with some regularity from Portland to Los Angeles, the Santa  
19 Ana area, and that Joy in the Morning was actually being  
20 produced and run on the network?

21 A It, it may have been, sir, but I, I just -- if that  
22 were the case, I certainly wasn't focused on it at the time.

23 Q It would be fair to say then, though, you were not  
24 also focused on whatever business relationship may have  
25 existed then between National Minority and Trinity, relative

1 to Mr. McClelan's travels in order to do the Joy in the  
2 Morning program?

3 A That, that's absolutely true. I, I just was not  
4 involved in that aspect of this programming arrangement.

5 Q All right. I'm going to ask you to look at a number  
6 of exhibits at the same time, but they're, they're relatively  
7 easy to follow. The first one is Exhibit 384, which is  
8 another statement from the law firm of May and Dunne. It's  
9 difficult to make out the date because I managed to punch a  
10 hole through the date portion, but the -- I believe it's  
11 January 11, 19-- it should be 1993. And I think it's one of  
12 these things where the, the dates are confused, because you  
13 can see at the top it references 1992, but then when you look  
14 to see for services rendered, it says from December 5, 1992,  
15 through January 8, 1993.

16 A Yes, I see that.

17 Q All right. Now the next one I'd like you to look  
18 at, the next statement I'd like you to look at in conjunction  
19 with this one is Mass Media Exhibit 389.

20 A Yes, sir. I'm there.

21 Q All right. This you can see -- now this one I may  
22 actually have in the wrong place, so let's ignore 389.

23 A Okay.

24 Q My mistake.

25 A All right.

1 Q I'd like you to turn -- pull out Volume Seven and  
2 then look at Mass Media Exhibit 400.

3 A Yes, sir. I'm there.

4 Q All right. You can see that Mass Media Exhibit 400  
5 now references a separate bill to Mrs. Jane Duff, director for  
6 National Minority TV. My question for you is do you know how  
7 it came about that the billing of National Minority TV was  
8 separated from the billing of Trinity Broadcasting Network for  
9 legal services performed by the law firm of May and Dunne?

10 A No, sir. I have no information as to how that came  
11 about at all.

12 Q All right. Could you please turn to Mass Media  
13 Exhibit 385.

14 A Yes, sir.

15 Q Now this is the minutes of the annual meeting of the  
16 combined boards of Trinity Christian Center of Santa Anna,  
17 Inc., and affiliated corporations for the year 1992. And  
18 turning to pages two, three, four, and five, there are  
19 listings or I guess this is the reflection of the election of  
20 officers and directors for the various corporations that were  
21 in attendance at this meeting?

22 A Yes, sir.

23 Q My question for you is looking at Mrs. Duff's  
24 situation, Mrs. Jane Duff's situation, she was elected as a  
25 director of Trinity Towers, which appears on the -- which is

1 the fourth company listed on page three. She was also elected  
2 a director of Trinity Broadcasting of Ciskei, which is the  
3 last entry on page three and carries over to page four. Then  
4 she was elected a director of Trinity Broadcasting of Nevis,  
5 Limited, which also appears on page four.

6 A Yes.

7 Q But she was not elected a director to the other  
8 corporations noted. How, how was this determination made,  
9 that she should be a director of the companies that I just  
10 named, but not the other Trinity companies?

11 A I think, Mr. Shook, in the, in the area of the  
12 foreign companies, for example, Ciskei, which is a, a South  
13 African republic, and Nevis, which is a Caribbean Island  
14 nation, there was a very high concentration of minorities in  
15 both of those countries, and my memory tells me that we felt  
16 it was desirable for Mrs. Duff to serve on those boards for  
17 minority input to those operations. With regard to Trinity  
18 Towers, I'm a little unclear myself on that one, because that  
19 is simply a, a small trailer park that sits under the tower of  
20 Channel 45 in the Miami area, so I, I'm sorry, I just am  
21 drawing a blank on, on why she was included in the Trinity  
22 Towers officership and board position.

23 Q Now you're an officer and director of both Trinity  
24 of Ciskei and Trinity of Nevis, correct?

25 A Yes, sir.

1 Q That's what these minutes reflect.

2 A Yes, sir.

3 Q How much time was there devoted -- this is for the  
4 year 1992. How much time was devoted in the year 1992  
5 relative to board meetings for both Ciskei and Nevis?

6 A Very minimal. I, I would have difficulty even  
7 giving you an estimate. But I know on a couple of occasions,  
8 Mrs. Duff has journeyed with us to Nevis and attended board  
9 meetings there. To my knowledge, she has never journeyed to  
10 South Africa to attend a board meeting there. But she has  
11 given us certainly, I believe, valuable insight on the  
12 operation and, and policies of those stations.

13 JUDGE CHACHKIN: Was she the only minority of all  
14 the directors of Ciskei and Nevis?

15 DR. CROUCH: No, sir. In the case of Ciskei, for a  
16 time, the, the president of that little republic, Dr. Lenox  
17 Sebe, S E B E, was a member of the board of Ciskei. I see  
18 that he is not, at this year.

19 JUDGE CHACHKIN: No. And what about Nevis, any  
20 other -- any of the members listed here as directors, were  
21 they minorities besides Ms. Duff?

22 DR. CROUCH: In the case of Nevis, I do not believe  
23 so, sir.

24 BY MR. SHOOK:

25 Q In the case of Ciskei, who is Bernard Rabert?

1           A     Bernard Rob-- Rabert is the way he pronounces it, is  
2 the station manager.

3           Q     And who is -- for Nevis, who is Charles Vlaun,  
4 V L A U N.

5           A     He is a businessman on an island called St. Maarten,  
6 M A A R T E N, which is very close to the island of Nevis.

7           Q     Now with respect to the other Trinity corporations  
8 that are listed on pages two, three, four, and five, and take  
9 as, take as much time as you need to answer this, are any of  
10 the persons, who are listed as directors for any of those  
11 companies, minorities? Recognizing that in most instances,  
12 three of the directors are yourself, your wife, and, and Mr.  
13 Juggert, so I know the answer to that. But there are some  
14 other persons who I don't know.

15          A     Well, in the case of Trinity of Florida, Ralph Duff  
16 is an assistant secretary and he is, of course, Mrs. Duff's  
17 husband.

18          Q     Right. No, sir, what I was thinking of was  
19 directors, not officers, directors.

20          A     Oh, okay. Give me just a moment to scan it and  
21 I'll, I'll, I'll seek to answer your question.

22          Q     All right. Well, I think I can help you a little  
23 bit. The first person I see who is not common to the ones  
24 that we've already talked about is Trinity Broadcasting of  
25 Arizona, number two, Stan Comstock (phonetic sp.).

1           A     Yes, he, he was the station manager at the time and  
2 he is not a minority.

3           Q     All right. Trinity Broadcasting of Oklahoma City,  
4 Alan Brown is not a minority, correct?

5           A     That's correct.

6           Q     Now Trinity Broadcasting of Denver, George Hernandez  
7 is Hispanic?

8           A     Yes, he is.

9           Q     Trinity Broadcast of New York, is Grace Cephas a  
10 minority?

11          A     Yes, she is. She is an African American.

12          Q     Now is she connected with the operation of the  
13 station in some fashion?

14          A     She is today the station manager. At that time, she  
15 was simply an officer and a director, and possibly an  
16 employee. I -- but not the station manager.

17          Q     Now we've had an opportunity to review a number, I  
18 wouldn't say a substantial number but a number of minutes of  
19 Trinity Broadcasting Network, and if you go back to page one  
20 of Mass Media 385, in the third paragraph, the last sentence,  
21 it's reflected that you're representing your wife because  
22 she's given you a proxy, and some time ago we had actually  
23 looked at a proxy that was signed by her and apparently given  
24 to you. It strikes me that at most of the meetings that we  
25 have seen, you know, Janice was not there and she's given you



1 a proxy, correct?

2 A She's given me a proxy for the purpose of conducting  
3 business, but in almost every case she was at least there to  
4 at least give a word of greeting and let everybody know that  
5 she was there. But as far as the actual proxy for business  
6 transaction, you're absolutely correct, she gave that to me.

7 Q Is there some explanation as to why, you know,  
8 Janice is on the board of all of these companies, when  
9 apparently she doesn't attend the meetings but has simply  
10 given you a proxy?

11 A I think we discussed that a little bit the other  
12 day, Mr. Shook. I believe my answer then and now is simply  
13 that she does not enjoy getting deeply involved in the highly  
14 technical business affairs. She doesn't enjoy attending those  
15 kind of board meet-- meetings. She is a very creative person.  
16 She does a great job as program director, planning and helping  
17 produce the, the programming, the decorating of the various  
18 sets. My desire in having my wife serve on that board, as I  
19 said earlier, is that it gave her, in essence, an ownership  
20 position in the affairs of the, of the company that we had  
21 devoted, you know, the best years of our lives to, and also I  
22 felt it was very valuable for her to be involved for the  
23 continuity and on-going of the, of the operation if, if  
24 anything should ever happen to myself. So that's basically  
25 the reasons that she was -- that, that I urged and encouraged